

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ZAPFRAUD, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	C.A. No. 19-1690 (CFC)
MIMECAST NORTH AMERICA,)	
INC., MIMECAST UK LIMITED and)	JURY TRIAL DEMANDED
MIMECAST SERVICES LTD.,)	
)	
Defendants.)	

**DEFENDANTS' MOTION TO DISMISS
FOR FAILURE TO STATE A CLAIM**

Pursuant to Federal Rule of Civil Procedure 12(b)(6) and 35 U.S.C. § 101, Defendants Mimecast North America, Inc., Mimecast UK Limited, and Mimecast Services Ltd. (collectively, "Mimecast") move the Court for an Order dismissing Plaintiff's Second Amended Complaint (D.I. 29) for failure to state a claim upon which relief can be granted. The grounds for this motion are set forth in Mimecast's Opening Brief filed contemporaneously herewith.

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MIMECAST SERVICES LTD.,)	
)	
Defendants.)	

[PROPOSED] ORDER

WHEREAS, Defendants Mimecast North America, Inc., Mimecast UK Limited, and Mimecast Services Ltd., having moved to dismiss the Second Amended Complaint (D.I. 29) pursuant to Federal Rule of Civil Procedure 12(b)(6) and 35 U.S.C. § 101 (the “Motion”), and

WHEREAS, the Court having considered the Motion and any opposition thereto,

IT IS HEREBY ORDERED this ____ day of _____, 20__ that the Motion is **GRANTED**.

The Honorable Colm F. Connolly

CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2020, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on May 22, 2020, upon the following in the manner indicated:

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